

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

Chambers of
BENSON EVERETT LEGG
United States District Judge

101 West Lombard Street
Baltimore, Maryland 21201
(410) 962-0723

2001 JAN 30 P 3:14

January 29, 2001

MEMORANDUM TO COUNSEL

Re: Channel Coleman v. State of Maryland, et al.
Civil # L-00-360

Dear Counsel:

Now pending are (i) Defendants' Motion to Dismiss and (ii) Defendants' Unopposed Motion for Extension of Time. For the reasons stated herein both motions are hereby DISMISSED as MOOT.

In response to the motion to dismiss, Ms. Coleman filed an Amended Complaint. The Clerk is hereby directed to ACCEPT THE AMENDED COMPLAINT FOR FILING. Defendants are required to answer the amended complaint by February 15, 2001.

I enclose a scheduling order. Because of the age of this case (it was filed February 7, 2000) discovery must be completed within the time allocated in the scheduling order. I will not grant an extension. In that regard,

1. Interrogatories and document requests must be filed by February 15, 2001. The parties are not permitted to ask "contention" interrogatories but must ask for specific information.
2. By February 21st, defendant must furnish plaintiff with a copy of her personnel file, any documents that concern her administrative or internal complaints, and any documents that concern or relate to the incidents alleged in the amended complaint.
3. By February 21st, plaintiff must furnish defendant with (i) all medical records that relate to the emotional or physical injuries she suffered as a result of the alleged sexual harassment, (ii) a medical release so that the defense may obtain records from her doctors, and (iii) all documents that refer to the incidents stated in her complaint.

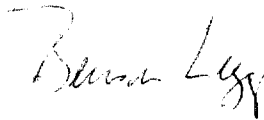
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4. By February 21st, defendant must furnish plaintiff with all documents concerning allegations of sexual harassment made by other women against Cpt. Carter.

Count II of the Amended Complaint, alleging intentional infliction of emotional distress against defendant Carter is hereby DISMISSED WITHOUT PREJUDICE. Although the allegations of misconduct against Carter are serious, his alleged actions are not sufficiently extreme and outrageous to state a claim for intentional infliction under Maryland law. The dismissal is without prejudice, however. Plaintiff may seek to reintroduce the claim but only at the conclusion of discovery and only by filing a motion to amend the complaint. The motion must be supported by citations to the factual record and by Maryland case law stating that the kind of conduct borne out by the record is sufficient to support a claim.

Despite the informal nature of this memorandum, it shall constitute an Order of Court and the Clerk is directed to docket it accordingly.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Benson Legg".

Benson Everett Legg

c: Court file